

REMARKS

Claims 1-8 are pending in the application. Claims 1-8 stand rejected.

Claim 1 has been amended to clarify applicant's claimed invention. Support for the amendment can be found on page 18, lines 6-9 of the specification. No new matter has been introduced.

Claims 1-3 and 7-8 were rejected under 35 U.S.C. §102(e) as being anticipated by Wallner et al. (U.S. Patent No. 6,442,172) (hereinafter Wallner).

Claims 4-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wallner in view of Moss (U.S. Patent No. 6,469,484).

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wallner in view of Henrion et al. (U.S. Patent No. 6,469,982).

The rejection of claims 1-8 is being herein respectfully traversed for at least the following reasons:

Regarding independent claim 1:

It's asserted in the Office Action that "a transmission demand generator" is disclosed by Wallner, for example, by referring to column 8 lines 11-24 and item 326 in Fig. 3.

However, Wallner teaches by referring to Fig. 4 and col. 8 lines 60-67 that grant generation processing begins at a predetermined time interval at Step 401 when the grant engine timer expires, and once this processing flow begins, the processing is performed for all of the source input output ports (S1OP's) corresponding to all of the destination ports (DPORT's) (see Steps 407 and 411 of Fig. 4).

Therefore, the predetermined time interval of Wallner is not respectively set for each channel. Namely, Wallner fail to disclose the "transmission demand generator for generating a transmission demand signal at predetermined intervals respectively set for each channel" as claimed in claim 1.

Additionally, although a priority of data (current priority) is referred to in Steps 501, 503, and 505 of Fig.5, this priority is unrelated to the value of the transmission demand counter as recited in applicant's claim 1. Therefore, Wallner fail to disclose "a transmission priority ranking determined based on a value of the transmission demand counter".

Accordingly, Wallner fail to disclose the "priority ranking determination portion for determining a transmission priority ranking of each channel based on a value of the transmission demand counter, and for transmitting ... to the highest priority channel" as claimed in claim 1.

Accordingly, the applicant believes that independent claim 1 is patentable over Wallner et al. under 35 U.S.C. § 102(e).

Regarding dependent claims 2-8:

Claims 2-3 and 7-8 are likewise patentable over Wallner under 35 U.S.C. § 102(e) at least because of their direct or indirect dependency from independent claim 1.

Claims 4-5 are likewise patentable over Wallner in view of Moss under 35 U.S.C. § 103(a) at least because of their indirect dependency from independent claim 1 because Moss fails to teach or suggest the features lacking in Wallner as outlined above.

Claim 6 is believed to be patentable over Wallner et al. in view of Henrion et al. under 35 U.S.C. § 103(a) at least because of its direct dependency from independent claim 1 because Henrion et al. fails to teach or suggest the features lacking in Wallner as outlined above.

Supplemental consideration of cited references:

Although applicant believes that foregoing arguments provide patentable differences, further consideration of the cited references is submitted.

As for Wallner and Moss references, it is found that output bandwidth is not considered. Therefore it is respectfully submitted that Wallner and Moss references are basically different from the present invention.

As for Henrion et al. reference, it is respectfully submitted that output bandwidth is considered. However, it is disclosed by Henrion et al. that in order to guarantee a minimum bandwidth per channel, a processor calculates transmission intervals or timestamps to be stored in a memory and to be controlled. The processor constantly calculates such time stamps to update the memory.

Contrarily, "predetermined intervals set respectively for each channel" are used in the present invention as recited in independent claim 1. Therefore, the present claimed invention is different from the cited reference.

Accordingly, the processor disclosed by Henrion et al. is different from "a transmission demand generator for generating a transmission demand signal at predetermined intervals set respectively for each channel" claimed in claim 1.

Meanwhile, Henrion et al. disclose an embodiment which uses a service grant counter associated with each one of data flows (channels) (see col.17 lines 46-65). In this case, it is seen that current credit amount of service grants for guaranteed bandwidth must be calculated as an initial value for a service grant counter by the processor and stored in the memory.

Such a prior art service grant counter is different from the "transmission demand counter

for counting a generation number of transmission demand signal for each channel" as claimed in claim 1 because the transmission demand counter of claim 1 actually counts the generation number of the transmission demand signal while the service grant counter of Henrion et al. uses a calculated value which does not correspond to the actual generation number of the transmission demand signal.

In light of the foregoing, it is respectfully submitted that Henrion et al. reference is also different from the present claimed invention.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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